

# JOURNAL OF THE HOUSE

## NINETIETH SESSION

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NINETEENTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Tuesday, February 10, 2015

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Larry Cass, followed by the Pledge of Allegiance led by House pages Alannah Aesoph, Payton Jones, and Levi Knight.

Roll Call: All members present except Reps. Novstrup, Schaefer, and Verchio who were excused.

### APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the eighteenth day.

In the House Journal of the sixteenth day the following correction should be made:

On page 317, delete lines 20 and 21 and insert "SB 36: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary statutes and to update certain references related to the Department of Tourism."

All additional errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Dean Wink, Chair

Which motion prevailed.

1 The oath of office was administered by Speaker Wink to the following named page:  
2 Alannah Aesoph.  
3 Which was subscribed to and placed on file in the office of the Secretary of State.

4 **REPORTS OF STANDING COMMITTEES**

5 MR. SPEAKER:

6 The Committee on Health and Human Services respectfully reports that it has had under  
7 consideration SB 77 and returns the same with the recommendation that said bill do pass and  
8 be placed on the consent calendar.

9 Respectfully submitted,  
10 Scott Munsterman, Chair

11 Also MR. SPEAKER:

12 The Committee on Taxation respectfully reports that it has had under consideration  
13 HB 1216 and returns the same with the recommendation that said bill do pass.

14 Also MR. SPEAKER:

15 The Committee on Taxation respectfully reports that it has had under consideration  
16 HB 1213 which was tabled.

17 Also MR. SPEAKER:

18 The Committee on Taxation respectfully reports that it has had under consideration  
19 HB 1200 which was deferred to the 41<sup>st</sup> Legislative Day.

20 Respectfully submitted,  
21 Roger D. Solum, Chair

22 Also MR. SPEAKER:

23 The Committee on Local Government respectfully reports that it has had under  
24 consideration HB 1090 and SB 16 and returns the same with the recommendation that said bills  
25 do pass and be placed on the consent calendar.

1 Also MR. SPEAKER:

2 The Committee on Local Government respectfully reports that it has had under  
3 consideration HB 1194 and returns the same with the recommendation that said bill be amended  
4 as follows:

5 1194fa

6 On page 1, line 9, of the printed bill, after "any" insert "state law or".

7 And that as so amended said bill do pass.

8 Also MR. SPEAKER:

9 The Committee on Local Government respectfully reports that it has had under  
10 consideration HB 1112 which was deferred to the 41<sup>st</sup> Legislative Day.

11 Respectfully submitted,  
12 Herman D. Otten, Vice Chair

13 Also MR. SPEAKER:

14 The Committee on Agriculture and Natural Resources respectfully reports that it has had  
15 under consideration SB 75 and 76 and returns the same with the recommendation that said bills  
16 do pass.

17 Respectfully submitted,  
18 Lee Qualm, Chair

19 Also MR. SPEAKER:

20 The Committee on Transportation respectfully reports that it has had under consideration  
21 SB 22 and 40 and returns the same with the recommendation that said bills do pass and be  
22 placed on the consent calendar.

23 Also MR. SPEAKER:

24 The Committee on Transportation respectfully reports that it has had under consideration  
25 HB 1030 and returns the same with the recommendation that said bill be amended as follows:

1 1030RA

2 On page 1, line 7, of the printed bill, after "allow a" insert "minimum of a".

3 1030fa

4 On page 1, line 8, of the printed bill, after "bicycle" insert "if the posted limit is thirty-five  
5 miles per hour or less and shall allow a minimum of six feet separation if the posted limit is  
6 greater than thirty-five miles per hour. Notwithstanding any other provision of law, a motor  
7 vehicle overtaking a bicycle proceeding in the same direction may partially cross the highway  
8 centerline or the dividing line between two lanes of travel in the same direction if it can be  
9 performed safely ".

10 And that as so amended said bill do pass.

11 Also MR. SPEAKER:

12 The Committee on Transportation respectfully reports that it has had under consideration  
13 HB 1032, which was removed from the table, which was tabled.

14 Respectfully submitted,  
15 Mary Duvall, Vice Chair

16 **MESSAGES FROM THE SENATE**

17 MR. SPEAKER:

18 I have the honor to return herewith HB 1071 and 1104 which have passed the Senate  
19 without change.

20 Also MR. SPEAKER:

21 I have the honor to inform your honorable body that HB 1079 was tabled.

22 Also MR. SPEAKER:

23 I have the honor to transmit herewith SB 64, 86, 98, 107, 108, 110, 118, 120, 135, and 172  
24 which have passed the Senate and your favorable consideration is respectfully requested.

25 Respectfully,  
26 Kay Johnson, Secretary

1                               **CONSIDERATION OF REPORTS OF COMMITTEES**

2           Rep. Gosch moved that the reports of the Standing Committees on  
3           Education on HB 1072 as found on page 339 of the House Journal; also  
4           Commerce and Energy on HB 1236 as found on page 339 of the House Journal; also  
5           Judiciary on HB 1173 as found on page 340 of the House Journal be adopted.  
6           Which motion prevailed.

7                               **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

8           SB 64: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
9           registration of business names.

10          Was read the first time and referred to the Committee on State Affairs.

11          SB 86: FOR AN ACT ENTITLED, An Act to place a term limit on the office of poet  
12          laureate.

13          Was read the first time and referred to the Committee on State Affairs.

14          SB 98: FOR AN ACT ENTITLED, An Act to revise the provisions related to the financial  
15          accountability system.

16          Was read the first time and referred to the Committee on Judiciary.

17          SB 107: FOR AN ACT ENTITLED, An Act to increase the period an instructor permit is  
18          valid and to revise the requirements to upgrade to an operator's licence or a restricted minor's  
19          permit.

20          Was read the first time and referred to the Committee on Transportation.

21          SB 108: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to  
22          aggravated DUI's.

23          Was read the first time and referred to the Committee on Judiciary.

SB 110: FOR AN ACT ENTITLED, An Act to revise the authority granted to the Building Authority and to the Board of Regents to construct an information system building on the campus of Dakota State University in Madison.

Was read the first time and referred to the Committee on Appropriations.

SB 118: FOR AN ACT ENTITLED, An Act to provide additional transparency for prescription drug plans.

Was read the first time and referred to the Committee on Health and Human Services.

SB 120: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding special alcoholic beverage licenses issued in conjunction with special events and to declare an emergency.

Was read the first time and referred to the Committee on Commerce and Energy.

SB 135: FOR AN ACT ENTITLED, An Act to authorize municipalities to impose an additional sales and use tax for a limited period of time for a specified use.

Was read the first time and referred to the Committee on Taxation.

SB 172: FOR AN ACT ENTITLED, An Act to strengthen the financial practices of the State of South Dakota.

Was read the first time and referred to the Committee on Appropriations.

## SECOND READING OF CONSENT CALENDAR ITEMS

Rep. Rasmussen requested that HB 1148 be removed from the Consent Calendar.

Which request was granted.

HB 1178: FOR AN ACT ENTITLED, An Act to provide for the creation of an entity for the purpose of insurance contracts in certain instances.

Was read the second time.

The question being "Shall HB 1178 pass?"

And the roll being called:

1 Yeas 67, Nays 0, Excused 3, Absent 0

2 Yeas:

3 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
4 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
5 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
6 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
7 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
8 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
9 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
10 Zikmund; Speaker Wink

11 Excused:

12 Novstrup (Al); Schaefer; Verchio

13 So the bill having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the bill passed and the title was agreed to.

15 HB 1142: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the  
16 age requirements for sex offender registry registration.

17 Was read the second time.

18 The question being "Shall HB 1142 pass?"

19 And the roll being called:

20 Yeas 67, Nays 0, Excused 3, Absent 0

21 Yeas:

22 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
23 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
24 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
25 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
26 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
27 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
28 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
29 Zikmund; Speaker Wink

30 Excused:

31 Novstrup (Al); Schaefer; Verchio

32 So the bill having received an affirmative vote of a majority of the members-elect, the  
33 Speaker declared the bill passed and the title was agreed to.

1                   **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2                   HB 1179: FOR AN ACT ENTITLED, An Act to revise the definition of a veteran.

3                   Having had its second reading was up for consideration and final passage.

4                   The question being "Shall HB 1179 pass?"

5                   And the roll being called:

6                   Yeas 63, Nays 4, Excused 3, Absent 0

7                   Yeas:

8                   Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
9                   Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
10                  Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
11                  Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; McCleerey;  
12                  Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;  
13                  Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;  
14                  Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund

15                  Nays:

16                  Kaiser; Marty; May; Speaker Wink

17                  Excused:

18                  Novstrup (Al); Schaefer; Verchio

19                  So the bill having received an affirmative vote of a majority of the members-elect, the  
20                  Speaker declared the bill passed and the title was agreed to.

21                  HB 1188: FOR AN ACT ENTITLED, An Act to make an appropriation to the Department  
22                  of Environment and Natural Resources to develop a hydrologic model of the lower Big Sioux  
23                  River Basin in southeast South Dakota and to declare an emergency.

24                  Was read the second time.

25                  The question being "Shall HB 1188 pass as amended?"

26                  And the roll being called:

27                  Yeas 53, Nays 14, Excused 3, Absent 0



1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Conzet; Cronin; Dryden; Duvall; Feickert;  
3 Gibson; Gosch; Haggar (Don); Harrison; Hawks; Hawley; Heinemann (Leslie); Holmes;  
4 Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; McCleerey;  
5 Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Rasmussen; Ring;  
6 Romkema; Rounds; Rozum; Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer;  
7 Stevens; Tulson; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

8 Nays:

9 Campbell; Craig; Deutsch; DiSanto; Greenfield (Lana); Haugaard; Hickey; Kaiser; Latterell;  
10 Marty; May; Qualm; Russell; Werner

11 Excused:

12 Novstrup (Al); Schaefer; Verchio

13 So the bill having received an affirmative vote of a two-thirds majority of the members-  
14 elect, the Speaker declared the bill passed and the title was agreed to.

15 HB 1191: FOR AN ACT ENTITLED, An Act to make an appropriation for the jobs for  
16 America's graduates program and to declare an emergency.

17 Was read the second time.

18 1191ca

19 Rep. Sly moved that HB 1191 be amended as follows:

20 On page 1, line 5, of the House Appropriations Committee engrossed bill, delete "jobs" and  
21 insert "Jobs".

22 On page 1, line 6, delete "graduates" and insert "Graduates".

23 Which motion prevailed.

24 The question being "Shall HB 1191 pass as amended?"

25 And the roll being called:

26 Yeas 62, Nays 5, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Hagggar (Don); Harrison; Hawks;  
4 Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns;  
5 Killer; Kirschman; Klumb; Langer; Latterell; May; McCleerey; Mickelson; Munsterman; Otten  
6 (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum;  
7 Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner;  
8 Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

9 Nays:

10 Greenfield (Lana); Haugaard; Kaiser; Marty; Russell

11 Excused:

12 Novstrup (Al); Schaefer; Verchio

13 So the bill having received an affirmative vote of a two-thirds majority of the members-  
14 elect, the Speaker declared the bill passed.

15 The question being on the title.

16 1191cta

17 Rep. Sly moved that the title to HB 1191 be amended as follows:

18 On page 1, line 1, of the House Appropriations Committee engrossed bill, delete "jobs" and  
19 insert "Jobs".

20 On page 1, line 2, delete "graduates" and insert "Graduates".

21 Which motion prevailed and the title was so amended.

22 HB 1192: FOR AN ACT ENTITLED, An Act to make an appropriation for the protection  
23 and enhancement of wildlife habitat and to declare an emergency.

24 Was read the second time.

25 The question being "Shall HB 1192 pass as amended?"

26 And the roll being called:

27 Yeas 52, Nays 15, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Campbell; Conzet; Cronin; Deutsch; Dryden;  
3 Duvall; Gibson; Gosch; Hagggar (Don); Harrison; Hawks; Hawley; Heinemann (Leslie); Hickey;  
4 Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Langer;  
5 Latterell; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Rasmussen;  
6 Ring; Romkema; Rounds; Rozum; Schoenbeck; Schoenfish; Sly; Soli; Solum; Stalzer; Tulson;  
7 Werner; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

8 Nays:

9 Brunner; Craig; DiSanto; Feickert; Greenfield (Lana); Haugaard; Klumb; Marty; May;  
10 McCleerey; Qualm; Russell; Schrempp; Stevens; Westra

11 Excused:

12 Novstrup (Al); Schaefer; Verchio

13 So the bill having received an affirmative vote of a two-thirds majority of the members-  
14 elect, the Speaker declared the bill passed and the title was agreed to.

15 HB 1094: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
16 annual minimum wage adjustment.

17 Was read the second time.

18 The question being "Shall HB 1094 pass as amended?"

19 And the roll being called:

20 Yeas 14, Nays 53, Excused 3, Absent 0

21 Yeas:

22 Anderson; Bolin; Brunner; Gosch; Hunt; Klumb; Langer; Latterell; Marty; May; Rasmussen;  
23 Willadsen; Wollmann; Zikmund

24 Nays:

25 Bartling; Beal; Bordeaux; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden; Duvall;  
26 Feickert; Gibson; Greenfield (Lana); Hagggar (Don); Harrison; Haugaard; Hawks; Hawley;  
27 Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean); Jensen (Alex); Johns; Kaiser; Killer;  
28 Kirschman; McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent);  
29 Qualm; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp; Sly;  
30 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Speaker Wink

31 Excused:

32 Novstrup (Al); Schaefer; Verchio

33 So the bill not having received an affirmative vote of a majority of the members-elect, the  
34 Speaker declared the bill lost.

1 HB 1105: FOR AN ACT ENTITLED, An Act to provide for an affidavit creating a  
2 rebuttable presumption that a person is not an employee for purposes of workers' compensation  
3 and to provide a penalty therefor.

4 Was read the second time.

5 Rep. Gosch moved that HB 1105 be deferred to Wednesday, February 11, the  
6 20<sup>th</sup> legislative day.

7 Which motion prevailed.

8 HB 1116: FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions  
9 relating to the requirements for a permit to carry a concealed pistol.

10 Was read the second time.

11 The question being "Shall HB 1116 pass?"

12 And the roll being called:

13 Yeas 44, Nays 23, Excused 3, Absent 0

14 Yeas:

15 Anderson; Beal; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden; Gosch;  
16 Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Heinemann (Leslie); Hickey; Holmes;  
17 Johns; Kaiser; Klumb; Langer; Latterell; Marty; May; Munsterman; Otten (Herman); Partridge;  
18 Qualm; Rasmussen; Rounds; Russell; Schoenbeck; Schoenfish; Sly; Stalzer; Stevens; Tulson;  
19 Werner; Westra; Wiik; Willadsen; Zikmund; Speaker Wink

20 Nays:

21 Bartling; Bolin; Bordeaux; Duvall; Feickert; Gibson; Hawks; Hawley; Hunhoff (Jean); Hunt;  
22 Jensen (Alex); Killer; Kirschman; McCleerey; Mickelson; Peterson (Kent); Ring; Romkema;  
23 Rozum; Schrempp; Soli; Solum; Wollmann

24 Excused:

25 Novstrup (Al); Schaefer; Verchio

26 So the bill having received an affirmative vote of a majority of the members-elect, the  
27 Speaker declared the bill passed and the title was agreed to.

28 HB 1195: FOR AN ACT ENTITLED, An Act to declare void the transgender policy of the  
29 South Dakota High School Activities Association and to establish a determinant in identifying  
30 a student's sexual identity for the purpose of participation in high school athletics.

31 Was read the second time.

1 The question being "Shall HB 1195 pass?"

2 And the roll being called:

3 Yeas 51, Nays 16, Excused 3, Absent 0

4 Yeas:

5 Anderson; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden;  
6 Duvall; Feickert; Gosch; Greenfield (Lana); Haggar (Don); Harrison; Haugaard; Heinemann  
7 (Leslie); Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Kaiser; Klumb; Langer; Latterell; Marty;  
8 May; Mickelson; Munsterman; Partridge; Peterson (Kent); Qualm; Rasmussen; Romkema;  
9 Rounds; Russell; Schoenbeck; Sly; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik;  
10 Willadsen; Wollmann; Zikmund; Speaker Wink

11 Nays:

12 Bartling; Bordeaux; Gibson; Hawks; Hawley; Hickey; Holmes; Killer; Kirschman; McCleerey;  
13 Otten (Herman); Ring; Rozum; Schoenfish; Schrempp; Soli

14 Excused:

15 Novstrup (Al); Schaefer; Verchio

16 So the bill having received an affirmative vote of a majority of the members-elect, the  
17 Speaker declared the bill passed and the title was agreed to.

18 HJR 1002: A JOINT RESOLUTION, making a formal application to the President of the  
19 United States, that the President grant a presidential pardon to Peter L. Larson.

20 Was read the second time.

21 Rep. Gosch moved that HJR 1002 be deferred to Tuesday, February 17, the 22<sup>nd</sup> legislative  
22 day.

23 Which motion prevailed.

24 HB 1180: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
25 regulation of captive insurance companies.

26 Was read the second time.

27 The question being "Shall HB 1180 pass?"

28 And the roll being called:

29 Yeas 67, Nays 0, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
5 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
6 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
8 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
9 Zikmund; Speaker Wink

10 Excused:

11 Novstrup (Al); Schaefer; Verchio

12 So the bill having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the bill passed and the title was agreed to.

14 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

15 Speaker Pro tempore Mickelson now presiding.

16 SB 61: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled  
17 substances schedule and to declare an emergency.

18 Was read the second time.

19 The question being "Shall SB 61 pass?"

20 And the roll being called:

21 Yeas 66, Nays 1, Excused 3, Absent 0

22 Yeas:

23 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
24 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
25 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
26 Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
27 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
28 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
29 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
30 Zikmund; Speaker Wink

31 Nays:

32 Kaiser

1 Excused:

2 Novstrup (Al); Schaefer; Verchio

3 So the bill having received an affirmative vote of a two-thirds majority of the members-  
4 elect, the Speaker declared the bill passed and the title was agreed to.

5 SB 34: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the  
6 administration of benefits provided to veterans and to declare an emergency.

7 Was read the second time.

8 The question being "Shall SB 34 pass as amended?"

9 And the roll being called:

10 Yeas 65, Nays 2, Excused 3, Absent 0

11 Yeas:

12 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
13 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggart (Don);  
14 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
15 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
16 McCleerey; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;  
17 Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;  
18 Solum; Stalzer; Stevens; Tulson; Werner; Wiik; Willadsen; Wollmann; Zikmund; Speaker  
19 Wink

20 Nays:

21 Mickelson; Westra

22 Excused:

23 Novstrup (Al); Schaefer; Verchio

24 So the bill having received an affirmative vote of a two-thirds majority of the members-  
25 elect, the Speaker declared the bill passed and the title was agreed to.

26 SB 14: FOR AN ACT ENTITLED, An Act to provide for the possession and  
27 administration of opioid antagonists by first responders for the treatment of drug overdoses.

28 Was read the second time.

29 The question being "Shall SB 14 pass as amended?"

30 And the roll being called:

31 Yeas 67, Nays 0, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);  
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
5 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
6 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
8 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
9 Zikmund; Speaker Wink

10 Excused:

11 Novstrup (Al); Schaefer; Verchio

12 So the bill having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the bill passed and the title was agreed to.

14 SB 15: FOR AN ACT ENTITLED, An Act to allow for discretionary appeals of illegal  
15 sentences.

16 Was read the second time.

17 The question being "Shall SB 15 pass?"

18 And the roll being called:

19 Yeas 67, Nays 0, Excused 3, Absent 0

20 Yeas:

21 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
22 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);  
23 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
24 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
25 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
26 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
27 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
28 Zikmund; Speaker Wink

29 Excused:

30 Novstrup (Al); Schaefer; Verchio

31 So the bill having received an affirmative vote of a majority of the members-elect, the  
32 Speaker declared the bill passed and the title was agreed to.



1 SB 18: FOR AN ACT ENTITLED, An Act to establish certain administrative provisions  
2 regarding charitable raffles, lotteries, and bingo and to make violations of these provisions  
3 subject to the Deceptive Trade Practice and Consumer Protection Act.

4 Was read the second time.

5 The question being "Shall SB 18 pass as amended?"

6 And the roll being called:

7 Yeas 67, Nays 0, Excused 3, Absent 0

8 Yeas:

9 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
10 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);  
11 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
12 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
13 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
14 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
15 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
16 Zikmund; Speaker Wink

17 Excused:

18 Novstrup (Al); Schaefer; Verchio

19 So the bill having received an affirmative vote of a majority of the members-elect, the  
20 Speaker declared the bill passed and the title was agreed to.

21 SB 46: FOR AN ACT ENTITLED, An Act to make an appropriation of other fund  
22 expenditure authority to the Department of Agriculture for the construction of the Nordby  
23 Exhibit Hall at the South Dakota State Fair and to declare an emergency.

24 Was read the second time.

25 The question being "Shall SB 46 pass?"

26 And the roll being called:

27 Yeas 67, Nays 0, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);  
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);  
5 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;  
6 McCleerey; Mickelson; Munsterman; Otten (Herman); Partridge; Peterson (Kent); Qualm;  
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp;  
8 Sly; Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
9 Zikmund; Speaker Wink

10 Excused:

11 Novstrup (Al); Schaefer; Verchio

12 So the bill having received an affirmative vote of a two-thirds majority of the members-  
13 elect, the Speaker declared the bill passed and the title was agreed to.

14 SB 43: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding lease  
15 purchase agreement payments and to ratify certain lease purchase agreements with the Health  
16 and Educational Facilities Authority.

17 Was read the second time.

18 Rep. Gosch moved that SB 43 be deferred to Wednesday, February 11, the 20<sup>th</sup> legislative  
19 day.

20 Which motion prevailed.

21 Speaker Wink now presiding.

22 There being no objection, the House reverted to Order of Business No. 5.

23 **REPORTS OF STANDING COMMITTEES**

24 MR. SPEAKER:

25 The Committee on Legislative Procedure respectfully reports that HB 1026 was delivered  
26 to his Excellency, the Governor, for his approval at 9:10 a.m., February 10, 2015.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
3 and Enrolling has carefully compared HB 1071 and 1104 and finds the same correctly enrolled.

4 Respectfully submitted,  
5 Dean Wink, Chair

6 **SIGNING OF BILLS**

7 The Speaker publicly read the title to

8 HB 1071: FOR AN ACT ENTITLED, An Act to revise the number of signatures required  
9 for a nominating petition for sanitary district trustees.

10 HB 1104: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
11 notification procedure for payment of delinquent special assessments.

12 SB 19: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
13 references to the Internal Revenue Code.

14 SB 20: FOR AN ACT ENTITLED, An Act to revise the age that a manufactured home or  
15 mobile home will be considered real property.

16 SB 21: FOR AN ACT ENTITLED, An Act to revise the income guidelines for the  
17 paraplegic property tax relief program.

18 And signed the same in the presence of the House.

19 **COMMEMORATIONS**

20 HC 1014 Introduced by: Representatives Bartling, Peterson (Kent), Qualm, and Schoenfish  
21 and Senators Sutton and Van Gerpen

22 A LEGISLATIVE COMMEMORATION, commending and honoring the community of  
23 Wagner, South Dakota, for its celebration of 115 years of hosting the Wagner Labor Day  
24 festivities.

25 WHEREAS, the community of Wagner has a long-standing tradition of honoring its  
26 hardworking citizens from the local community and surrounding areas, dating back to 1910; and

27 WHEREAS, the Wagner Labor Day celebration consists of a carnival, games, rodeos,  
28 Festival in the Park and craft booths, live music, the annual Labor Day Queen contest, and  
29 dances in the evening; and

1 WHEREAS, the finale of the weekend is the annual Labor Day parade, which is a fun-filled  
2 gathering for friends and families to enjoy the many exhibitions of area organizations,  
3 businesses, individuals, and the youth of the Wagner School District; and

4 WHEREAS, the first Wagner Labor Day celebration in 1910 brought in over 10,000 people  
5 to share in the festivities and the 100<sup>th</sup> year celebration in 2000 brought in well over 10,000  
6 people to enjoy the weekend:

7 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninetieth Legislature of the State  
8 of South Dakota, that the Community of Wagner and all of its residents be commended for the  
9 exceptional Labor Day celebrations for the past 115 years, and for more celebrations to come.

10 Rep. Anderson moved that the House do now adjourn, which motion prevailed and at  
11 4:51 p.m. the House adjourned.

12  
Arlene Kvislen, Chief Clerk